

Application No.: 09/773,061
Amendment Dated: February 27, 2006
Reply to Office Action of: November 3, 2005

REMARKS

Claims 1-20 are pending in the application. Applicant has amended claims 1, 8 and 14. In view of the remarks urged here, Applicant respectfully requests that the Examiner reconsider and withdraw all outstanding rejections.

Double Patenting Rejections

The Examiner has rejected claims 1-20 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8 of U.S. Patent No. 6,826,387 to Kammer.

Applicant will file a terminal disclaimer shortly. In any event, if the Examiner provides a Final Office Action in response to this amendment, Applicant expects that the filing of a terminal disclaimer should be an allowable After-Final submission to place the claims in condition for allowance.

35 U.S.C. § 103 Rejections

The Examiner has rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,600,902 to Bell ("Bell") in view of U.S. Patent No. 6,663,759 to Kobayashi ("Kobayashi").

Applicant has amended claims 1, 8 and 14 to more particularly point out and distinctly claim the subject matter regarded as the invention. In particular, claim 1 has been amended to recite that the second device automatically displays a message indicating at least one user selection, and that in response, a particular user selection starts the second device to automatically communicate information to the first electronic device. Similarly, claim 8 has been amended to recite that the second device automatically displays a message indicating at least one user selection, and that in response, a particular user selection starts the second device to automatically communicate a second electronic business card to the first electronic device.

Claim 14 has been amended to recite an electronic device capable of displaying a message indicating at least one user selection, and in response to a particular selection starts the device to automatically communicate information to the first electronic device.

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Among the problems addressed by the invention is the inefficiency of swapping business card information between two handheld computers. Prior art methods require two users to initiate the swapping of information, and this manual bilateral exchange of information can be burdensome. The present invention proposes an automatic way to capture and retransmit at one of the handheld computers so that the formerly bilateral exchange of information can be simplified to a unilateral initiated exchange. If a user selects from a menu of selections the appropriate selection, the process of capturing the transmitted information and returning the transmission with the user's own information can be automated. Alternatively, a user may set his electronic device to automatically capture transmitted information and, in return, transmit his information.

The Examiner's base reference, Bell, does not teach or suggest, at the least, a "second electronic device automatically displaying a message indicating at least one user selection." Bell is directed to a multiple wireless link between wireless devices. The Examiner has cited a passage which purports to show an automated exchange of information between wireless devices. However, Bell teaches that the wireless devices must be authenticated by the users prior to any exchange of information. Bell teaches that users must enter PIN codes. See column 6, lines 1-8. Therefore, Bell does not teach or suggest, at least, "displaying a message indicating at least one user selection."

The shortcomings of the base reference are not overcome by Kobayashi. Kobayashi is directed to a manipulation of software by a first device over a second device so that infrared communication can occur. Kobayashi fails to disclose "displaying a message (at the second device) indicating at least one user selection."

Therefore, Applicant respectfully submits that a combination of Bell and Kobayashi does not teach or suggest every claimed feature of the invention. The prior art reference (or references) must teach or suggest all of the claim limitations. In re Vaeck, 947 F.2d 488 (Fed. Cir. 1991). Since a *prima facie* case of obviousness has not been set forth, Applicant respectfully submits that independent claims 1, 8 and 14 are allowable over the cited references. Claims 2-7, 9-13 and 15-20, by their dependency on claims 1, 8 and 14 respectively, are similarly allowable. Early notice to that effect is earnestly solicited.

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Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections, and that they be withdrawn. The Examiner is invited to telephone the undersigned representative if an interview might expedite allowance of this application.

Respectfully submitted,

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